

**MINUTES  
WILLIAMSTOWN BOARD OF SELECTMEN  
MONDAY, DECEMBER 12, 2011  
7:00 P.M.**

**Present:** Thomas E. Sheldon, Chairman, Ronald Turbin, Jane B. Allen, Tom Costley, David A. Rempell

**Others Present:** Bilal Ansari, Van Ellet, Mary Giannaris, Daniel Campbell, Cathy Yamamoto, Kyle Johnson, Sally Sussman, Sherwood Guernsey, Christopher Sabot, Peter Fohlin, Kathy Poirot

**1. CHAIRMAN'S OPENING STATEMENT:** None

- 2. SELECTMEN MINUTES:** November 14, 2011 and November 28, 2011 – Mr. Rempell moved to approve the November 14, 2011 minutes. Ms. Allen seconded and the motion carried 4-0-1. Mr. Turbin abstained. Mr. Rempell moved to approve the November 28, 2011 minutes. Mr. Turbin seconded and the motion carried 3-0-2. Mr. Costley and Ms. Allen abstained.

**3. ITEMS FOR SELECTMEN'S CONSIDERATION:**

- A.** Affordable Housing Committee Appointments – terms expire June 30, 2012:  
Bilal Ansari (2012)    Van Ellet (2012)    Kim Burnham (2012)

Ms. Allen moved to enthusiastically appoint Bilal Ansari, Van Ellet and Kim Burnham to the Affordable Housing Committee with terms expiring June 30, 2012. Mr. Turbin seconded with thanks and gratitude for the three stepping up to serve the town and the motion was carried unanimously.

- B.** Liquor License Compliance: Due to a failure of Olympic Family Pizza Restaurant and Hobson's Choice to pass the November 17, 2011 liquor compliance check carried out by the Williamstown Police Department and Northern Berkshire Community Coalition, the Board requested that the manager of each of those liquor licenses come before the Board this evening.

Mary Giannaris, Olympic Pizza Family Restaurant's owner and liquor license manager explained that one of her servers took an order from patrons at a table nearby where she was standing. When the server came with the tray and set it down, Ms. Giannaris intervened and asked if the patrons had been carded. The server said she didn't card them and at that time Ms. Giannaris asked for their IDs. The patrons said they left them in the car and did not return. Then a police officer came in and deemed the incident consistent with a liquor license compliance failure. Selectmen asked Chief Johnson if this was in fact a failure since the patrons were not served due to Ms. Giannaris' intervention. The Chief said it was because there was intent by the server. He did commend Ms. Giannaris for stepping in. Ms. Giannaris said

although the server had worked for her for several years in another establishment, she fired her on the spot to set an example for other employees.

Mr. Costley moved to send a letter of warning to include the contents of the hearing. Ms. Allen seconded and the motion carried unanimously.

Daniel Campbell, Hobson's Choice's owner and liquor license manager explained that during a slow night at the restaurant a server let her guard down and forgot to card the underage customers. He said he did not fire the server and plans to arrange for TIPs training for his staff.

Mr. Costley moved to send a letter of warning to include the contents of the hearing, require Mr. Campbell and the offending server to take TIPs training and within thirty days of the letter present their certificates to Administrative Assistant Kathy Poirot. Mr. Rempell seconded and the motion carried 4-1-0 with Mr. Sheldon voting against. Mr. Costley also stated that the Board needs to craft a policy that will outline the consequences for establishments for future failures of compliance checks. It was also confirmed with Chief Johnson that the Board would like at least two more compliance checks done annually. Mr. Costley and Ms. Allen will make up the subcommittee to work on writing a policy and report back to the Board with their recommendations.

**C.** Proposed Amendments to Chapter 70 of the Code of Williamstown – Sherwood Guernsey, Trustee of The Cricket Creek Farm Nominee Trust presented proposed amendments to chapter 70, Article III, Section 70-3.3A(4), Article VII, Section 70-7.3B and Article VII, Section 70-7.3B of the Williamstown Bylaws. Ms. Allen moved to refer the amendments to the Planning Board. Mr. Rempell seconded and the motion carried unanimously. (Attachment A)

**D.** Accept Affordable Housing Committee Resignation – Ms. Allen moved to accept Carolyn Henderson's resignation with thanks from the Affordable Housing Committee. Mr. Rempell seconded and the motion carried unanimously.

**E.** Water and Sewer Warrant - \$174,655.37 – Mr. Rempell moved to approve the water and sewer warrant in the amount of \$174,655.37. Mr. Turbin seconded and the motion carried unanimously.

#### **4. LICENSES AND PERMITS:**

**A.** 2012 Annual License Renewals Part 3 – Mr. Rempell moved to approve the 2012 Annual License Renewals Part 3 as presented. Mr. Costley seconded and the motion carried unanimously. (Attachment B)

**5. TOWN MANAGER'S REPORT:** See attached and at [www.williamstown.net](http://www.williamstown.net)

**6. PETITIONER'S REQUEST:** None

7. **OTHER BUSINESS:** Mr. Turbin said he will be attending the Berkshire Regional Planning MPO meeting at which time they will be discussing the Berkshire Bike Path issue on January 31, 2012. He will report back on that meeting in February.
8. Ms. Allen moved to vote to go into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares and the Board will not reconvene in open session. Mr. Rempell seconded and the motion carried by roll call vote, Aye, Jane Allen, Aye, David Rempell, Aye, Thomas Sheldon, Aye, Ronald Turbin and Aye, Tom Costley. The next Selectmen's meeting is Monday, January 9, 2012 at 7 p.m.

Respectfully Submitted,

Tom Costley, Secretary